

E-Filed 6/28/10

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16 HARRY W. PLICHTA, Individually and On
 17 Behalf of All Others Similarly Situated,

18 Plaintiff,

19 v.

20 SUNPOWER CORPORATION, THOMAS
 21 H. WERNER, DENNIS V. ARRIOLA,
 22 EMMANUEL T. HERNANDEZ,
 23 DEUTSCHE BANK SECURITIES INC.,
 24 CREDIT SUISSE SECURITIES (USA)
 25 LLC, LAZARD CAPITAL MARKETS
 26 LLC, BARCLAYS CAPITAL INC, PIPER
 27 JAFFRAY & CO., WACHOVIA CAPITAL
 28 MARKETS, LLC n/k/a WELLS FARGO
 SECURITIES, LLC, SL HARE CAPITAL,
 INC., T.J. RODGERS, W. STEVE
 ALBRECHT, BETSY S. ATKINS,
 PATRICK WOOD, III & UWE-ERNST
 BUFE

Defendants.

Case No. CV 09-5473-RS
(Consolidated)

CLASS ACTION

**STIPULATION AND [PROPOSED]
 SCHEDULING ORDER
 AS MODIFIED BY THE COURT**

1 WHEREAS, pursuant to the Court order entered on April 19, 2010, lead plaintiffs filed
2 a consolidated complaint on May 28, 2010; and

3 WHEREAS, pursuant to the Court order entered on April 19, 2010, the parties met and
4 conferred within five (5) days of the filing of the consolidated complaint;

5 IT IS HEREBY STIPULATED AND AGREED among the undersigned parties as
6 follows:

7 (1) Defendants shall respond to the consolidated complaint on or before July 29, 2010;
8 (2) In the event any of the defendants respond to the consolidated complaint by motion,
9 lead plaintiffs' opposition to such motion shall be filed on or before September 15,
10 2010;
11 (3) Defendants shall file any reply papers on or before October 14, 2010; and
12 (4) In the event any of the defendants respond to the consolidated complaint by motion,
13 such motions shall be heard on November 4, 2010 at 1:30 p.m., or at such time
14 thereafter that is convenient to the Court, in Courtroom 3, 17th Floor, United States
15 Courthouse, 450 Golden Gate Avenue, San Francisco, California.

16 *

17 Dated: June 25, 2010

BARROWAY TOPAZ KESSLER
MELTZER & CHECK LLP

19 /s/ Erik D. Peterson

20 RAMZI ABADOU (Bar No. 222567)
NICHOLE BROWNING (Bar No. 251937)
STACEY KAPLAN (Bar No. 241989)
ERIK D. PETERSON (Bar No. 257098)

22 Dated: June 25, 2010

BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP

24 /s/ David R. Stickney

25 DAVID R. STICKNEY (Bar No. 188574)
BENJAMIN GALDSTON (Bar No. 211114)

26 * A Case Management Conference shall be held on October 7, 2010 at 10:00 a.m. in courtroom 3,
17th Floor, U.S. Courthouse. The parties shall file a Joint Case Management Conference
27 Statement one week prior to the conference.

1 Dated: June 25, 2010

KAPLAN FOX & KILSHEIMER LLP

2 /s/ Joel B. Strauss
3 FREDERIC S. FOX (pro hac vice)
4 JOEL B. STRAUSS (pro hac vice)
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6 -and-
7
8

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15 *Counsel for Lead Plaintiffs*

16 Dated: June 25, 2010

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27 Thomas H. Werner, Dennis V. Arriola, Emmanuel
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20 Dated: June 25, 2010

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Jaffray & Co., Wachovia Capital Markets, LLC
n/k/a Wells Fargo Securities, LLC and SL Hare
Capital, Inc.*

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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3 Dated: 6/28/10



4 HONORABLE RICHARD SEEBORG
5 UNITED STATES DISTRICT JUDGE
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